



Meeting Notes
Drinking Water Advisory Group
June 1, 2020

Attending Online: 70

[YouTube Meeting Video](#)

Agenda Item	Notes
2. Legislative Updates Brian Walsh	<ul style="list-style-type: none">◆ Budget: challenging times, reduction in revenue, future economy/recovery. State budget in June. Utilities impacted. OFM looking at numbers, special session?<ul style="list-style-type: none">○ Projections: \$7BB shortfall. Stretched out over biennium. Some agencies more impacted than others due to revenue source. May be growth to deal with pandemic issues. Possible fed assistance.◆ Agency request legislation.<ul style="list-style-type: none">○ GMA regional water management—rural WS, help complying with standards. May be able to fund through other means. Tie to data study. PUDs or other partners, consolidations.○ Funding for PWS consolidation. Leg funding to ID solutions. EPH may not be able to submit package. Ongoing issue of consolidations. Priority.○ PFAS response/remediation. Include state level SAL/MCL. Cost-benefit analysis. Other states doing. <p>Mike Means: What happens with Fed Funding, COVID impacts, what stimulus package looks like. If asks for consolidation, won't need to ask for funding. SRF set asides—unregulated contaminants money.</p> <p>Brian Walsh: infrastructure funding, etc. at fed level.</p> <p>Questions</p> <p>Q: Third party influences, GF money--can other divisions steal from ODW. A: We'll expand on it later. Q: PFAS cost could triple quadruple, established? BW: sites/rulemaking, constructive relationship Cost benefit analysis never done, Fed other states have examples. Quantifiable. Health benefits side trickier, bladder cancer numbers, etc. qualitative. Fed guidelines allow for both. NH looked at willingness to pay standpoint. Pay more to alleviate threat. A: NH lowered MCL for arsenic to 5. Easier to run CBA.</p> <p>Q: where is required legislation, when will go to Gov's office? Timing? WS consolidation cap money, number proposed? A: within division still; by 6/15 agency policy team final briefing to L Jenks 6/7. A: number initial \$25mm. Looking at stimulus for infrastructure projects.</p>
3. PFAS Rulemaking Updates Mike Means, Theresa Phillips	<p>Presentation</p> <ul style="list-style-type: none">◆ 5,000 manmade chemicals, persistent, impacts groundwater. Aqueous film-forming foams, etc. Mostly found near military and fire training facilities.



- ◆ Worked to stop immediate exposure, installing treatment and looking for permanent solutions/ public and private wells.
- ◆ We're working with ecology. PFAS Chemical action plan, report released. High level recommendations remain.
- ◆ Current status, 60-day comment period in Sept 2020. Final recommendations remain same. Final CAP early 2021.
- ◆ WAS State action COVID-19 delays rulemaking process.
- ◆ SBOH: Petition accepted to set state PFAS DW standards. Considerations. SBOH recommended move forwards with SAL.
- ◆ Draft SALs set.
- ◆ Comments received: develop MCL not SAL; treatment expensive so funding should be addressed. Technical comments on specific monitoring descriptions, definitions, references. Lab rule updates. 3M comments (200+ pages). Barb Morissey going through the comments on toxicology, overview, challenging ODW authority.
- ◆ MCL Considerations. Concerns that an MCL is needed for funding. We want certainty of MCL. SBOH considerations for starting with SAL. Systems want MCL process and development highlighted in the rule. Evaluate and look at to develop action levels, then work with communications and water systems to mitigate. SALs functional. Iterative process
- ◆ Funding Treatment for PFAS. Eligible condition for SRF funding. Ecology works on grants, cleanup standards for SAL. Imposes both state and fed requirements for responsible parties to address contamination.
- ◆ Lab Rule Update: coordinate for both rules. Address approved methods. Establishes test panels. Does not preclude systems for sampling for more analytes. Work with utilities and EPA minimize utilities who have to sample for other Unregulated contaminants.
- ◆ Timeline interrupted. Received comments in Jan 2020, worked on in Feb and Mar, then COVID happened. Move forward in August. Move forward with rule in early 2021. Potentially a challenge, people know what values are, some systems exceed those values. Can we accelerate the process, will it help.
- ◆ Next steps: Complete draft rule changes, include process, address technical definition changes/descriptions, etc. Move forward in Aug. ODW will do outreach for lab rule and align changes, gather comments. Coordinate with Ecology on cleanup standards and Ecology grants.

Questions

Q. Expand on Federal activities on PFAS and potential future conflict between state and Federal rulemaking and SAL vs. MCL. **A.** Yes, moving forward with SAL, future MCL process. Need to have sampling requirements in place that come with a SAL. Uncertain future with Federal rule. SAL advisory level is rescinded when feds develop MCL.



	<p>Q. Could you clarify the new schedule—did you say the new expected rule effective date is mid 2021? A. Yes, by the time we go through all the steps, SBOH is working with Theresa Phillips' team and updating the website. Should see something in the next week or two with more specific dates.</p> <p>Q: Will there be a financial impact expected on utilities? Expectation on timeframe that water systems/utilities need to make adjustments or impacts on state revenues? A: If SAL passes, ALL water utilities will have to sample for PFAS over a three-year period of time. We will focus on the waters systems most at risk, then with the most population, then move on to rest. Can't do it all at once. Cost associated with testing. If positive, more sampling required, then pub notification. Not yet MCL, but public notification is required. Cost of treatment may be associated with that. When MCL developed, by us or federal government, then cost associated with treatment. Then weigh cost benefits when developing an MCL.</p> <p>Q. For the lab rule, methods and lab capacity to you see these issues resolved in the timeline for the "PFAS" rule implementation. A. Three methods for testing for PFAS. We chose test panels that overlaps all three methods. Testing maximizes certified labs' ability. Spreading it out over three years maximizes lab capacity.</p> <p>Q: Will Group A systems who are 100% consecutive need to test for PFAS? A. No. Same source monitoring requirements that we do now for phase 2 and phase 5 chemicals.</p>
4. COVID-19 Update Mike Means, Derek Pell, Chris McCord	<ul style="list-style-type: none">◆ Gov's utility survey, guidance docs, future plans.◆ Working with state EOC at Camp Murray. DOH focused on area command in Tumwater, focuses on public response. Pub health, PIO.◆ ICC in Tumwater. 211 call in helpline, guidance docs. Complaint management.◆ Heart of response: Shoreline ICC. Disease containment, testing, etc. New division in DOH to move forward.◆ ODW observations: utilities working w/ treatment plant operators. Keep teams isolated so always have backup team. Carbon dioxide shortages for treatment.◆ Small business/WS have no capacity and have shut down.◆ Utility Observations: Contact Derek Pell at derek.pell@doh.wa.gov or any other ODW staff member.◆ Briefing on Gov's utility survey.<ul style="list-style-type: none">○ Late April focus on utilities keeping water going. ID critical infrastructure/workers. Ops providing ER backup.○ Revenue concerns. Stakeholder group formed. Put together survey. Closed last night. Water and wastewater.<ul style="list-style-type: none">▪ 40% expected revenue loss.▪ Less than half expect to see revenue loss. Amount hard to quantify.▪ 1/3 don't charge to create reserve account.



	<ul style="list-style-type: none">▪ Majority: low financial impact and would cover by delaying projects.▪ 4% interested in new management or ownership.○ Going forward, share info with Governor's office. State and federal delegations. Customer assistance programs one area of potential interest.○ Create dashboard to monitor for next six months to a year. Track key indicators.○ Let us know if you want to fill out survey after the fact. Need feedback.◆ Guidance documents. 16 drinking water documents developed. Can Google "WA COVID-19 Resources." Guidance documents linked on ODW main/home webpage. Some documents: FAQs on critical and essential infrastructure, staffing continuity, distribution System monitoring, return to work guidance, Legionella and building closures, etc.◆ Seven to twenty ODW staff activated at any one time. If you have issues or challenges, let us know. All other ODW staff working from home and remotely.◆ Responses delayed at times. Let us know what your needs are.◆ We're starting Sanitary Surveys this week. Getting appropriate PPE together, training, etc. Need to meet your PPE requirements as well.◆ Note from Governor's office. Extends directive to utilities to not shut off customers' utilities. COVID-19 customer assistance programs created and available. Will share guidance.◆ Funding source if utility impacted by lack of revenue stream. Don't know about the funding mechanism. More info: will figure that one out. UTC will serve as customer assistance.◆ As we work through, send out new info as we get it. Update webpage, etc. where most info is linked there.◆ Public health multi-barrier approach. Washing hands, social distancing, mask, covering cough, in family, community, businesses, etc.
5. Federal AWIA/CCR Reporting Brian Sayrs	<ul style="list-style-type: none">◆ American Water Infrastructure Act (AWIA). ER preparedness, Consumer Confidence reports, UCMR 5, offers of assistance.◆ ER Preparedness: Risk and resilience assessments. Two certs. Complete Risk and Resilience (R&R) assessment and ER response plan (ERP).◆ Different timelines for different sized utilities.◆ Don't send to EP, don't send to DOH.◆ CCR changes: Delivery, frequency, language. Only delivery method change is in effect.◆ UCMR5: change in WS affected. Timeline—notice of proposed rulemaking, rule final by Dec 2021. Set up in 2022, sampling in 2023.◆ How can we help? Information? Help with notifications, etc. <p>Q: funding help for ER response plan. A: haven't heard of any. Cert is only requirement. Just informing EPA that it's done. Q: hasn't heard of any</p>



	requirements. A: in line with idea that already requirement, normal part of ops. Can check with EPA.
6. Agenda Ideas for Next Meeting Brian Walsh	<ul style="list-style-type: none">• COVID, PFAS updates.• Heather: Sewer side, septic systems, implementation of drug takeback program.• Iron/manganese updates?• Lead/copper updates?• MM: contact for updates from utilities. ID ahead of time. We want to hear from you. Need to understand what WS experiencing. Want to be a voice for drinking water issues. Tech/financial support.